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SUBJECT: RRT ERBIL: LAYING THE GROUNDWORK FOR RULE OF LAW
PROGRAMMING

REF: Tamlyn/Brencick email November 11, 2008

This is an Erbil Regional Reconstruction Team (RRT) cable.

11. (SBU) SUMMARY: The Regional Reconstruction Team (RRT) Erbil has launched a QRF-funded project to survey RoL institutions in the Region and develop a strategic plan for improving the administration of justice in the region over the next five-ten years. The project is supported by Prime Minister Nechirvan Barzani who has requested USG support in strengthening all aspects of Rule of Law in the region. Strengthening Rule of Law is the RRT's highest priority in the Kurdistan Region; improved administration of justice has important implications for private sector development, combating violence against women, and strengthening democratic institutions. Current RRT programming combines advisory services and QRF funding to plug some of the most obvious needs. The strategic plan is a first step in what we hope will be long-term U.S. engagement in support of RoL in the Kurdistan Region. This cable identifies ensuring continuity in RRT RoL staffing as the most important first step in ensuring the success of this project. Please see action request in paragraph 5. End summary.

RRT Launches RoL Strategic Plan

12. (U) On January 11, the RRT kicked off an eight-month, QRF-funded project to survey Rule of Law institutions in the Kurdistan Region and develop a strategic plan for improving the administration of justice in the region over the next five-ten years. The survey will be organized by a local NGO, the Regional Legislative Observatory (RLO) with oversight by RRT RoL staff and "off-shore" guidance from University of Hawaii Professor James Pietsch (who spoke at the kick-off). Participants at the kick-off included representatives of local and international NGOs (including women's advocacy groups), Kurdistan Region law schools, Kurdistan Regional Government (KRG) Ministries, including Human Rights, Higher Education, representatives from the Kurdistan National Assembly and the Prime Minister's Office. Representatives from the UK Embassy Office and UNDP also attended. (EU representatives based in Baghdad who are working with RRT on law-school curriculum were invited but unable to attend). All of these stakeholders will be involved in the development of the strategy.

13. (U) The January 11 meeting was the first of six formal meetings planned over the next eight months. Work between sessions will be done by three-four working groups which will include academic, government and non-governmental representatives and address different areas of Rule of Law.

Follow-up on Prime Minister's Request

14. (SBU) The project has garnered support and buy-in from the leading RoL actors in the Kurdistan Region and - most importantly - from the Prime Minister's office. In a November 20 meeting with RRT staff, Prime Minister Barzani asked for a three-four year comprehensive program which would ensure - in his words - that all aspects of the Kurdistan region legal and judicial system were firmly "on track," providing access to and administration of justice for all and creating the best possible environment for domestic and

international businesses (ref email). President Barzani explained that the KRG had its own resources to put to this project; what was needed was the best advice on how to proceed. At that meeting RRT RoL Adviser and RRT Team Leader explained that the upcoming RoL Strategy would provide an excellent basis for launching such a program by identifying steps that needed to be taken and areas where assistance was needed.

Comment:

14. (SBU) The RoL strategy which will emerge from the QRF project should be an important first step in responding to the Prime Minister's request. If it meets expectations, it will be a credible basis on which the KRG will be able to proceed - both to take steps internally as well as in seeking support from international donors - to include the UN and the EU, as well as the United States.

15. (SBU) The project is being implemented by a local NGO, and is designed to be a Kurdish-drafted/Kurdish-driven project, but it will nonetheless need considerable coaching/oversight to ensure that the final product is a strategy which links together the different actors (academic, judicial, executive) with clearly articulated goals and benchmarks. Current RRT Rule of Law programming has been limited to a single INL-funded staff position at the RRT with ad hoc QRF funding helping with some of the immediate needs. We understand that this INL position will not be extended past September 2009. At a minimum, the RRT must have an American RoL staff position, either provided by DoJ or as a 3161 direct hire, in order to ensure that the QRF-funded Strategy/Road map project achieves its desired end. Post requests NEA/EX/I review staffing possibilities and begin

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recruitment for this position to ensure continuity of this important effort.

Crocker